

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
APRIL 26, 2005
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

**Members Present: Pat Zeigler, Chairperson; Karen Dugan, Secretary;
Lou Marr, Dave Bonnell and Mary Ferdon, Vice Chairman.**

Members Absent: None

**Staff Present: Alan Whitted, City Attorney, Marcus Hurley, Associate Planner,
Laura Thayer, Assistant Director; Stephanie Carr,
Mark DeBusk, Code Enforcement.**

Pat Zeigler, Chairperson, opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

DOCKET NO. C/DS-05-01: JIM AND CAROL DAILEY

Jim and Carol Daily are requesting a developmental standards variance to exceed the 60 days permitted for a temporary use and to establish a temporary use on an unimproved site. The property is located on the west side of State Road 7 north of Garden City between 760 Jonesville Road and 880 Jonesville Road in Columbus Township.

Jim and Carol Daily represented the petitioners.

Mr. Hurley stated that the Dailys are requesting a continuance in order to submit some additional information.

Ms. Dailey had some questions for Mr. Whitted about the new ordinance requirements for commercial zoning and how it would affect their variance request. Mr. Whitted suggested that they talk to the Planning Department regarding this issue.

Karen Dugan made a motion to continue **C/DS-05-01**.

Dave Bonnell seconded the motion.

The motion was approved unanimously.

DOCKET C/UV-05-02: HOMESTEAD 1865

Susan Reid, on behalf of Wayne and Susan Reid and Shirley Burbrink, is requesting a use variance to operate a conference center in an AG (Agriculture) District. The property is located at 6340 East County Road 150 South, in Columbus Township.

Susan and Wayne Reid represented the petitioners.

Laura Thayer presented the staff report along with the provisional findings of fact into the record.

Mr. Hurley showed visual pictures of the home.

Ms. Reid presented her case to the staff.

The meeting was opened to the public.

Steve Potter stated he had some concerns about traffic if the petition was granted.

Ro Whittington and Carol Daily spoke in favor of the proposed petition.

The meeting was closed to the public.

Ms. Marr stated that she had toured the home and was very much in favor of the petition, and felt all criteria had been met.

Letters were read from the Code Enforcement Office and the Health Department who did not have any objection to the petition.

The Health Department suggested that a limit of 50 people be allowed at any one time.

Ms. Dugan asked about the road condition and the narrowness of the road.

Ms. Reid stated she also wanted the road to be fixed and she had talked with the County Highway Department about the problem.

There was a brief discussion on the number of people that would be allowed at the residence at one time.

Dave Bonnell made a motion to approve **C/UV-05-02** based on the findings of fact as presented by staff. Mr. Bonnell said he believed all criteria had been met. Included in the motion Mr. Bonnell stated that (1) the use variance would expire if the property changed ownership,(2) the petitioner would be required to renew the use variance one year from

the date of approval and there would be a limit of 50 people at the residence at any one time.

Lou Marr seconded the motion.

The motion was approved unanimously.

DOCKET C/CU-05-01: PREGNANCY CARE CENTER

The Pregnancy Care Center is requesting a use variance to operate offices in an R-4 District (Single Family Residential). The property is located at 732 Smith Street in the City of Columbus.

The petitioners, Jim Bramlett, Dan Houze and Mark Daugherty, stated their names for the record.

Ms. Thayer read the staff report along with findings of fact into the record.

Mr. Hurley presented slides of the property.

Petitioners presented their case into the record.

Ms. Zeigler read a letter from Garland Brook Cemetery in favor of the petition.

The meeting was opened to the public.

Christy Sims of 810 Smith Street was opposed to the petition.

Ro Whittington spoke in favor of the petition.

The meeting was closed to the public.

Mary Ferdon moved to approve **C/DS-05-03**-with the condition that the use variance be limited to the term of the lease with Garland Brook Cemetery.

Lou Marr seconded the motion.

The motion was approved unanimously.

DOCKET C/CU-05-01 PREGNANCY CARE CENTER

The Pregnancy Care Center is requesting a conditional use approval to allow off-site parking for a remote office location. The proposed remote location is located at 732 Smith Street in the City of Columbus. The proposed off-site parking is associated with the main office of the Pregnancy Care Center, located at 2420 7th Street, in the City of Columbus.

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Ms. Thayer read the staff report along with the provisional findings of fact into the record. All criteria have been met.

The petitioners stated their names for the record, and presented their case.

The meeting was opened to the public.

Ms. Whittington asked about parking restrictions.

Ms. Thayer stated the conditional use is valid only as both the Smith Street and 7th Street locations are occupied by the Pregnancy Care Center.

The meeting was closed to the public.

Lou Marr made a motion to approve **C/CU-05-01** based on the findings of facts along with the conditional use valid only as long as both the Smith Street and 7th Street location are occupied by the Pregnancy Care Center.

Mary Ferdon seconded the motion.

The motion passed unanimously.

DOCKET C/DS-05: DAMON SALO

Damon Salo is requesting a developmental standards variance to construct a garage addition in the front setbacks of a property at 1709 Shannon Court, in the City of Columbus.

Mr. Hurley read the staff report along with the findings of fact into the record.

Mr. Hurley stated that all criteria had not been met.

Slides were presented of the property.

Mr. Salo presented his case into the record.

He stated that his vehicle was a standard size mini van that would not fit into his garage.

Ms. Dugan stated she believed he did not meet the criteria and when he bought the van, he brought the hardship on himself.

Mr. Bonnell suggested a few alternatives with a lesser encroachment.

Ms. Dugan stated that without a site plan they could not tell exactly where the set backs were located.

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The staff discussed the idea of continuing the petition without prejudice in order for the petitioner to re-apply for an amended variance.

Karen Dugan made a motion to deny **C/DS-05-05** along with the findings of fact without prejudice. Mary Ferdon seconded the motion.

The motion was denied unanimously.

FINDINGS OF FACTS:

The following findings of facts were presented to the Board for consideration.

C/CU-05-02 Columbus Ice- Mary Ferdon made a motion to accept the findings, seconded by Karen Dugan. The motion was approved unanimously.

C/DS-05-03 Dogwood Place- Mary Ferdon made a motion to accept the findings of fact, Lou Marr seconded the motion. The motion was approved unanimously.

C/UV-05-01 Bethesda House- Karen Dugan made a motion to accept the findings of fact seconded by Lou Marr. The motion was approved unanimously.

APPROVAL OF MINUTES – A motion was made by Mary Ferdon and seconded by Karen Dugan to approve the minutes of March 28, 2005. The motion carried unanimously.

There being no further business, the meeting was adjourned.

Patricia Zeigler, Chairperson

Karen Dugan, Secretary